



**BLUFFDALE CITY COUNCIL
MEETING AGENDA
Wednesday, March 13, 2019**

Notice is hereby given that the Bluffdale City Council will hold a meeting Wednesday, March 13, 2019, at the Bluffdale City Hall, 2222 West 14400 South, Bluffdale, Utah, scheduled to begin promptly at **6:00 p.m.**, or as soon thereafter as possible. Notice is further given that access to this meeting by the Mayor and or City Council may be by electronic means via telephonic conference call.

WORK SESSION 6:00 P.M. – (The work session is for identifying future items and other council discussion. In accordance with Utah Code § 52-4-201(2)(a), while the meeting may be open to the public, there will not be any opportunity for public input during the work session).

1. Roll Call
2. Presentations –
 - a. Financial -> Revenues & Expenses
 - b. Legislative Update
 - c. City Manager Report and Discussion
3. Council Discussion
4. Closed meeting pursuant to Utah Code § 52-4-205(1) to discuss the character, professional competence, or health of an individual, collective bargaining, pending or imminent litigation, strategies to discuss real property acquisition, including any form of a water right or water shares, security issues, or any alleged criminal misconduct (if needed).

REGULAR BUSINESS MEETING 7:00 P.M.

1. Roll Call, Invocation, Pledge of Allegiance*
2. **PUBLIC FORUM** – (4-minute maximum per person to bring items not already on the agenda before the Council. Participants are encouraged to submit a written statement (1 copy) for items that are complex or that may require more than 4 minutes to present).
3. **CONSENT AGENDA** –
 - 3.1 Approval of the February 13, 2019 Special City Council Meeting (Economic Development) Minutes.
 - 3.2 Approval of the February 13, 2019 City Council Meeting Minutes.

3.3 Approval of a resolution authorizing execution of an Interlocal Cooperation Agreement with Salt Lake County providing for the transfer of up to \$2,000,000 of County Transportation Funds to the City of Bluffdale for the completion of Segments 4 and 5 of Porter Rockwell Boulevard.

4. **PUBLIC HEARING** – Consideration and vote on proposed amendments to the Bluffdale City General Plan Land Use Map and Official Zoning Map for 1.69 acres of property, located at approximately 13906 South Redwood Road and 13894 South Redwood Road, applicant, Reel Development, LLC, staff presenter, Caitlyn Miller.
5. Mayor's Report
6. Closed meeting pursuant to Utah Code § 52-4-205(1) to discuss the character, professional competence, or health of an individual, collective bargaining, pending or imminent litigation, strategies to discuss real property acquisition, including any form of a water right or water shares, security issues, or any alleged criminal misconduct (if needed).
7. Adjournment

Dated: March 8, 2019

I HEREBY CERTIFY THAT THE FOREGOING NOTICE AND AGENDA WAS FAXED TO THE SOUTH VALLEY JOURNAL, THE SALT LAKE TRIBUNE, AND THE DESERET MORNING NEWS; POSTED AT THE BLUFFDALE CITY HALL, EMAILED OR DELIVERED TO EACH MEMBER OF THE BLUFFDALE CITY COUNCIL; ON THE CITY'S WEBSITE AT WWW.BLUFFDALE.COM AND ON THE PUBLIC MEETING NOTICE WEBSITE, WWW.PMN.UTAH.GOV



Wendy L. Deppe, CMC
City Recorder

In compliance with the American with Disabilities Act, individuals needing assistance or other services or accommodation for this meeting should contact Bluffdale City Hall at least 24 hours in advance of this meeting at 801-254-2200. TTY 7-1-1. *Contact the City Recorder if you desire to give the Invocation or lead the Pledge of Allegiance.

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Present: Mayor Derk Timothy
Wendy Aston
Travis Higby
Dave Kallas
Boyd Preece

Staff: Mark Reid, City Manager
Vaughn Pickell, City Attorney
Grant Crowell, City Planner/Economic Development Director
Bruce Kartchner, Administrative Services Director
Michael Fazio, City Engineer
Jennifer Robison, Senior City Planner
Caitlyn Miller, Senior City Planner
Gina Miller, Deputy City Recorder

Others: Johnny Loumis, Jr., Planning Commission Member
Tyson Moore
Steve Bowler
Mason Jarman

Excused: Ty Nielsen

BLUFFDALE CITY COUNCIL WORK MEETING

Mayor Derk Timothy called the meeting to order at 6:09 p.m.

1. Roll Call.

All Members of the Bluffdale City Council were present with the exception of Ty Nielsen, who was excused.

2. Presentations.

a. Financial – Revenues and Expenses.

Administrative Services Director, Bruce Kartchner, described the differences between one-time and permanent money and described the revenues and costs. He reminded the Council of a past conversation regarding fund accounting, which differs from a regular business balance sheet. He explained that there are three types of funds for which the government conducts business including enterprise funds (specifically oriented funds) and governmental funds.

Mr. Kartchner explained that enterprise funds are similar to a typical business fund. The City's Water Fund is an enterprise fund with income, expenses, and depreciation similar to a regular business.

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The City also has specifically oriented funds such as impact fee funds, which have very specific sources of revenue and regulations regarding what the funds can be used for.

Governmental funds include sources of cash inflows and outflows and each fund has different sources of income. The City also has EDA/RDA money that is taxed incrementally and can be spent in certain ways. It has a limited time frame and does not qualify as a consistent source of income.

The General Fund was discussed and includes the day-to-day operations of the City. Mr. Kartchner addressed the general concepts of the income and expenses and identified the following categories:

- Consistent revenue;
- Somewhat consistent revenue;
- Government services fees,
- Somewhat volatile revenue; and
- Developmental-related volatile revenue.

The categories were then sorted by most to least reliable revenue sources. The most basic and reliable revenue sources for the City are property taxes. The most basic cost is the bond payment on the City Building. There are also certain public safety costs. Mr. Kartchner explained that property taxes alone cannot cover the debt and public safety costs. He then described the franchise and telecom taxes. He explained that telecom taxes have been on the decline. Franchise taxes, however, are imposed on energy and gas usage and are fairly consistent but not as consistent as property taxes. Street lights, storm lighting, and garbage collection also generate revenue. After adding all three of the revenue sources of revenue including property taxes, franchise and telecom taxes, and utility collection, the debt for the bond and public safety costs are covered.

Mr. Kartchner broke up the expenses to demonstrate that if no building or development is taking place, there are still expenditures. He addressed the Council's discussion about having additional street maintenance work done as well as construction of a New Public Works Building. He questioned where those revenues will come from since this year, they plan to use the fund balance to cover the total costs. In reality, at the end of the year there is typically money left over from each fund to carry over into the next year or add to the Capital Projects Fund. Presently, they are not projecting to do that this year.

Mayor Timothy commented that in the past, road maintenance always seemed to fall by the wayside. He felt that a significant amount of the costs the City is seeing now are due to a lack of road maintenance in the past. In many cases, total reconstruction is now required because roads were not maintained at 60 RSL or above. Mr. Kartchner agreed and stated that for the first 17 years of the City's incorporation there was not a single tax increase. This resulted in the current costs being pushed back and paid for by future generations. He believed in being prudent with cash but did not want to place a burden on future generations.

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Boyd Preece felt that the Council was already frugal and thought it would be challenging to find areas where further cuts can be made. He suggested that there may be a need to increase revenues. Mr. Kartchner explained that expenditures have grown at a very rapid pace over the past few years. This was of concern to him because it is not sustainable. He explained that the public may not find it palatable to raise taxes to the point necessary to cover the costs. He acknowledged that difficult decisions will need to be made this year.

City Manager, Mark Reid, explained that earlier that day there was a meeting with the department heads during which there was discussion about upcoming employment needs. It was determined that there is a need in the Public Works Department for one new Streets Worker, one Water Worker, two or three Parks Workers, and an Assistant. Mr. Reid pointed out, however, that what is spent is never more than is budgeted.

b. Legislative Update.

City Attorney, Vaughn Pickell, updated the Council on current legislation. He reported that HB 5 passed and will appropriate \$17 million for a shortfall for firefighter retirement. He noted that it is a State expense.

HB 31 passed and defines a designated water service area and pertains to water service providers that serve customers outside of their jurisdiction. The bill specifies that if a municipality provides water to a retail customer outside of its boundary, it must create and maintain a map showing the water service area. Mr. Pickell explained that the City serves a portion of Herriman and Riverton. It was determined that the amount of water being provided to those areas equates to approximately five million gallons per month.

HB 119 deals with referenda and initiatives and changes and modernizes the process.

HB 185 allows tax increment from project areas to be used for student housing.

HB 228 would have originally been prohibitive and affected local land use control but has been amended several times. The most recent version refers to towing rotation and the process of removing a towing company from that rotation.

HB 245 involves an RDA bill that redefines blight as an impediment to development.

HB 288 defines vesting for sand and gravel operations and limits local regulations in those areas and allows expansion to contiguous areas. It also identifies abandonment procedures for those areas. The bill restricts eminent domain and requires an advisory board for authorization. Dave Kallas explained that the bill includes a provision that a city cannot pass an ordinance restricting a gravel pit, which will impact Bluffdale. It was clarified that all expansion language had been removed from the first draft.

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HB 315 is a Land Use, Development, and Management Act (LUDMA) bill that amends the statutes that regulate land use and development. It requires two forms of bonding for subdivision improvements and cannot require completion of items that are not “essential for public health and safety” in accordance with adopted codes. Mayor Timothy asked how it would impact landscaping requirements. Mr. Pickell explained that landscaping is not required as part of the Fire Code and a Certificate of Occupancy cannot be withheld due to the absence of landscaping.

HB 401 would eliminate eminent domain for parks. Mr. Pickell noted that it was unlikely to pass.

HB 441 deals with tax base broadening and lowers sales tax rates. The bill was held and was not likely to pass this session.

SB 34 requires the Utah Department of Transportation (UDOT) to identify major transit investment corridors and requires municipalities plan for residential and commercial development. It requires cities to incorporate tools to address housing affordability in the General Plan. Municipalities that fail to develop and apply the new standards will not be eligible for transportation funding. Mayor Timothy believed the bill was amended to require tools to address housing affordability.

SB 52 was described as a secondary water metering bill that is currently on its fifth substitute. It requires all new secondary water services to be metered after April 1, 2020. It would no longer be necessary to convert the existing services and would only apply to new services. Mayor Timothy stated that future regulation for water conservation includes secondary water. He felt that the restrictions will be so tight that cities will be required to meter all of their connections.

SB 56 was passed and requires a publicly accessible database for RDAs to upload their annual reports.

SB 129 increases the percentage to 14% that employers must pay for the defined benefit portion of the Tier 2 retirement for public safety officials. It changes their benefit from 1.5% to 2% per year of service. Mayor Timothy clarified that the increase will be funded by the City. It passed the Senate and was likely to pass the House.

SB 179 was currently on its third substitute. It places limitations on items a taxing entity can place on an agenda for a meeting, during which the taxing entity will hold a public hearing to discuss the proposed tax increase. It will make it more cumbersome for cities to adopt the certified tax rate or hold Truth in Taxation hearings and would require a separate meeting to be held. The bill passed the Senate and was likely to pass the House.

Dave Kallas asked about SB 268, which is a \$1.5 billion transportation bond. Mayor Timothy reported that it has been changed and mayors in the area have been watching it closely. Mr. Pickell explained that because of HB 441, the feeling was that there will likely be less money available at the State level than planned. SB 268 passed the Senate and was likely to pass the House. In response to a question raised by the Mayor, it was reported that the earmarks for the Mountain View Corridor and Bangerter Highway were not included.

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c. City Manager Report and Discussion.

Mr. Reid reported on the following:

- The Citizens Committee met with Public Works Director, Shane Paddock, to discuss parks and gather information before preparing a report.
- The Knight of Heroes was scheduled for March 29 from 6:00 p.m. to 8:00 p.m. Council Members wishing to attend were asked to RSVP.
- The Police Awards Luncheon was held recently with Officer Coombs being honored as Officer of the Year.
- The Bluffdale Arts Advisory Board's production of *The Scarlet Pimpernel* will be from March 28 to 30. Typically, Council Members are given two tickets to attend one of the showings.
- Woodbury inquired about platting their units along Redwood Road. They are moving forward to get the pad sites ready for development.
- The 14400 South 2200 West project was underway but may be delayed due to snow.
- An Open House was advertised for a park at Day Ranch on March 21 from 6:00 to 8:00 p.m. at Fire Station #2.

3. Council Discussion.

Travis Higby addressed the recent earthquakes and referred to a professor at the University of Utah who has written a lot about natural disasters in the area. Council Member Higby thought it may be worthwhile to invite the professor to the next work session to discuss earthquake preparedness. Mayor Timothy suggested that such a meeting be arranged through the City's Emergency Manager.

The Work Session adjourned at 6:58 p.m.

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Staff: Mark Reid, City Manager
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Caitlyn Miller, Senior City Planner
Gina Miller, Deputy City Recorder

Others: Johnny Loumis, Jr., Planning Commission Member
Tyson Moore
Steve Bowler
Mason Jarman

Excused: Ty Nielsen

BLUFFDALE CITY COUNCIL REGULAR BUSINESS MEETING

Mayor Derk Timothy called the meeting to order at 7:00 p.m.

1. Roll Call, Invocation, and Pledge of Allegiance.

All Members of the City Council were present, with the exception of Ty Nielsen who was excused.

Steve Bowler offered the invocation and led the Pledge.

2. PUBLIC FORUM

There were no public comments. The public forum was closed.

3. CONSENT AGENDA

3.1 Approval of the February 13, 2019 Special City Council Meeting (Economic Development) Minutes.

3.2 Approval of the February 13, 2019 City Council Meeting Minutes.

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3.3 Approval of a Resolution Authorizing Execution of an Interlocal Cooperation Agreement with Salt Lake County Providing for the Transfer of up to \$2,000,000 of County Transportation Funds to the City of Bluffdale for the Completion of Segments 4 and 5 of Porter Rockwell Boulevard.

Boyd Preece moved to approve the consent agenda. Wendy Aston seconded the motion. Vote on motion: Travis Higby-Aye, Wendy Aston-Aye, Boyd Preece-Aye, Dave Kallas-Aye. The motion passed unanimously.

4. PUBLIC HEARING – Consideration and Vote on Proposed Amendments to the Bluffdale City General Plan Land Use Map and Official Zoning Map for 1.69 Acres of Property located at Approximately 13906 South Redwood Road and 13894 South Redwood Road, Applicant, Reel Development, LLC, Staff Presenter, Caitlyn Miller.

Senior City Planner, Caitlyn Miller presented the staff report and stated that the request is to amend the Land Use Element of the General Plan and the Official Zoning Map for 1.69 acres of property. The three parcels are located within the Gateway RDA area, are adjacent to one major corridor, and are very close to another. Two of the parcels have homes on them and the third is vacant land. The existing land use element of the General Plan designates the properties as Neighborhood Commercial. The applicant proposed that that designation be changed to Commercial to facilitate their zone map amendments and rezoning the property to General Commercial. They feel that the proposed zone will provide a wider variety of end users that will enable them to market the site to more potential clients. The Neighborhood Commercial Zone has restrictions on operating hours and design requirements, which is why the applicants requested General Commercial.

Ms. Miller explained that the sites are located north of the new Maverik. There is one access point onto Redwood Road as allowed by UDOT since it is a State Highway. The sites will utilize the access and the new 1780 West, which was included in the City's Transportation Plan that was adopted in 2017.

Mayor Timothy opened the public hearing.

Mark Bell gave his address as 1879 West 13800 South and thanked the Council for constructing the road at 1780 West, which makes the area more accessible for development. He commented that if developed as commercial, 1780 West will become very busy. He urged the Council to ensure that safety is a priority over aesthetics for this segment of road.

There were no further public comments. The public hearing was closed.

Boyd Preece moved to approve the amendment to the General Plan and Official Zoning Map for 1.69 acres of property located at approximately 13906 South Redwood Road and 13894 South Redwood Road subject to the following:

Findings:

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- 1. The proposed changes are warranted due to the subject properties' location in an area previously identified as one of the City's economic development areas.**
- 2. The changes facilitate further economic development in the City.**
- 3. The development of 1780 West is important to future economic development in this area of the City and the development of the subject properties will further facilitate its construction.**

Travis Higby seconded the motion. Vote on motion: Wendy Aston-Aye, Boyd Preece-Aye, Dave Kallas-Aye, Travis Higby-Aye. The motion passed unanimously.

5. Mayor's Report.

Mayor Timothy reported on the following:

- The Southwest Valley Mayors Caucus had been very successful. An additional meeting was held the previous Monday that was very productive.
- \$100,000 was received for the Regional Plan but they had not yet heard about the additional \$125,000 from the Wasatch Front Regional Council. The Mayor was optimistic that they will receive the full funding and that the plan will benefit both sides. It will also be beneficial to the school district.
- There are two vacancies on the Planning Commission after the alternate and a regular member resigned. Mayor Timothy desired to have as many City Council Members as possible involved in the interview process. No dates were set for the interviews and the City continued to accept applications.

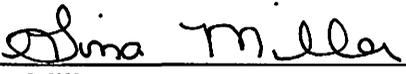
6. Closed Meeting Pursuant to Utah Code §52-4-205(1) to Discuss the Character, Professional Competence, or Health of an Individual, Collective Bargaining, Pending or Imminent Litigation, Strategies to Discuss Real Property Acquisition, Including any Form of a Water Right or Water Shares, Security Issues, or any Alleged Criminal Misconduct.

There was no closed meeting.

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7. Adjournment.

The City Council Meeting adjourned at approximately 7:25 p.m.



Gina Miller
Deputy City Recorder

Approved: April 10, 2019

